



Homeland
Security

October 5, 2018

Larry Schwartztol
Counsel
The Protect Democracy Project
2020 Pennsylvania Avenue, NW
#163
Washington, DC 20006

Re: **Third Interim Release**
Protect Democracy Project
17-2202 (2017-HQFO-01153)

Dear Mr. Schwartztol:

This is the third interim response to your August 23, 2017, Freedom of Information Act (FOIA) request to the Department of Homeland Security (DHS) (2017-HQFO-01153).

For this month's production, DHS processed for release 478 pages. Of the 478 pages, 391 pages are withheld in full pursuant to 5 U.S.C 552(b) (5), 7 pages are released in full, 10 pages are being referred to Office of Intelligence and Analysis (I&A) for direct response and 70 pages are being referred to Federal Emergency Management Agency (FEMA) for direct response. The 7 pages for release are bates-numbered DHS-001-1153-000095 to DHS-001-1153-000492.

Sincerely,

A handwritten signature in black ink, appearing to read "Angela Washington", followed by a stylized flourish.

Angela Washington
Appeals and Litigation

Enclosure

Homeland Security Lexicon: You're All 'Militia Extremists' Now

 blacklistednews.com/Homeland_Security_Lexicon%3A_You%E2%80%99re_All_%E2%80%98Militia_Extremists%E2%80%99_Nc

A recently published "lexicon" distributed to thousands of federal, state, and local law enforcement agencies by the Department of Homeland Security (DHS) targets citizens concerned about their Second Amendment rights and the steady encroachment of the federal government, categorizing such as "militia extremists."

The "lexicon," marked Unclassified/For Official Use Only (FOUO), is dated November 10, 2011, and was sent out by email to law enforcement and homeland security agencies on November 14 by LaJuan E. Washington of the DHS Office of Intelligence and Analysis.

We have exclusively posted the DHS "lexicon" [here](#).

Its definition of "militia extremists" states:

*(U//FOUO) Groups or individuals who facilitate or engage in acts of violence directed at federal, state, or local government officials or infrastructure **in response to their belief that the government deliberately is stripping Americans of their freedoms** and is attempting to establish a totalitarian regime. **These individuals consequently oppose many federal and state authorities' laws and regulations, (particularly those related to firearms ownership), and often belong to armed paramilitary groups.** They often conduct paramilitary training designed to violently resist perceived government oppression or to violently overthrow the US Government. (Page 2 of 3, emphasis added)*

So what drives militia extremism according to DHS now is "belief that the government deliberately is stripping Americans of their freedoms." It is demonstrated by opposing "many federal and state authorities' laws and regulations, (particularly those related to firearms ownership)." Would writing about those topics (as I am now) fall under "facilitation"? On its face, it's hard to see how it could be excluded under DHS's broad definition.

Another indicator, according to DHS, is that militia extremists "often belong to paramilitary groups," which would mean that there are "militia extremists" who aren't part of a militia. So if you oppose federal regulations and support the Second Amendment to the Constitution, and though you don't actually belong to a militia, you can still be branded a "militia extremist" by your own government, and presumably be targeted by law enforcement agencies.

The "Reporting Notice" found on Page 3 of 3 of the "lexicon" encourages recipients to do exactly that:

DHS and FBI encourage recipients of this document to report information concerning suspicious or criminal activity to the nearest State and Major Urban Area Fusion Center and to the local FBI Joint Terrorism Task Force.

And for those who would scoff that my reading is over the top and claim that DHS would never target anyone who wasn't knowingly and willingly involved in "facilitating and engaging in acts of violence," the DHS lexicon adds another category, "unwitting co-optees":

(U//FOUO) Groups or individuals who provide support to terrorism without knowing that their actions are contributing to terrorism. Such individuals may suspect that they are being used. Not all unwitting co-optees are engaging in criminal behavior.

Amazingly, the “lexicon” appears to directly violate standards published by DHS just weeks before the document was sent out.

In October 2011, DHS published its “Countering Violent Extremism (CVE) Training Guidance and Best Practices,” which was produced by the DHS Office for Civil Rights and Civil Liberties and [posted on the agency’s website](#).

Section 2 of that document, titled “Training should be sensitive to constitutional values,” directs:

- a) Review the training program to ensure that it uses examples to demonstrate that terrorists and violent extremists vary in ethnicity, race, gender, and religion.*
- b) Training should focus on behavior, not appearance or **membership in particular ethnic or religious communities**.*
- c) Training should support the protection of civil rights and civil liberties as part of national security. **Don’t use training that equates religious expression, protests, or other constitutionally protected activity with criminal activity.**(emphasis added)*

But not only does the “lexicon” target constitutionally protected activity, it specifically targets groups based on race, namely “black supremacist extremists” and “white supremacist extremists.” I have absolutely no problem targeting groups promoting violence based on racial supremacist ideology, but if DHS is going to proscribe the use of such terms and promptly turn around and use such — while in the same breath targeting private citizens for exercising their constitutional rights and freedom of speech in violation of DHS’s own standards — needless to say, that’s a serious problem.

It bears mentioning that an earlier incarnation of the DHS lexicon was the [subject of criticism](#) from both Democrats and Republicans in Congress for its targeting of “alternative media” and its shockingly broad definition of the “patriot movement.” A DHS spokesman later claimed that the “lexicon” was sent out prematurely.

Which raises the question of why these various “lexicons” published by the federal government exist in the first place.

Going back to the Bush administration, these “lexicons” have seemingly had a singular purpose: purging the use of “Islam,” “jihad,” and “Muslim” from any official discussion of terrorism. No one should be surprised that none of those terms can be found in the current DHS “lexicon,” despite the fact that even by the most generous estimates, more than 40 percent of domestic terrorism has come from within the Muslim community, which accounts for less than one percent of the population. In its place, federal bureaucrats have invented and promoted a patently meaningless and undefinable category, “violent extremism.”

The roots of this go back to the end of the Bush administration and a March 2008 “lexicon” published by the National Counterterrorism Center. Titled “[Words that Work and Words that Don’t: A Guide for Counterterrorism Communication](#),” it began the effort to purge the usage of the terms “Islam,” “Muslim,” and “jihad” from the vocabulary of government officials.

The Obama administration has taken those efforts even further, [removing those terms](#) from the 2009 National Intelligence Strategy, the Quadrennial Homeland Security Review, the Quadrennial Defense Review, the FBI Counterterrorism Analytical Lexicon, and the DOD Fort Hood report.

And as seen with the criticism of the previous version of the “lexicon,” this is hardly the first time that the DHS Office for Intelligence and Analysis has come under fire for targeting citizens with no connection whatsoever to terrorism.

In 2009, DHS [came under fire](#) for a [10-page report](#), “Right-wing Extremism: Current Economic and Political Climate Fueling Resurgence in Radicalization and Recruitment,” which classified returning war veterans as potential threats.

When government watchdogs submitted FOIAs for the sources used in preparing the report, [they found](#) that conspiracy websites and far-left outfits had been used, including the Southern Poverty Law Center, which [branded](#) the American Legion veterans organization as a “hate group.” Information also surfaced that the report had been rushed out [over the objections](#) of civil liberties officials. DHS Secretary Janet Napolitano was [forced to apologize](#) to veterans groups and withdraw the report.

Nor is this the first time that homeland security agencies have pushed the boundaries on defining “militia extremists.”

Just a few weeks prior to DHS coming under fire for that “right-wing” report, the Missouri Information Analysis Center, funded by DHS grants, issued a report titled “[The Modern Militia Movement](#),” which branded pro-life groups and those opposed to illegal immigration as potential domestic terrorists. Indicators [identified](#) in the report included support for third-party candidates. Political signs and bumper stickers [were also suspect](#), with the Revolutionary War-era “Gadsden flag” specifically called out as a “militia symbol.” The Missouri fusion center later [announced](#) it would stop publishing reports altogether.

In light of the recent publication of the DHS “lexicon” that violates their own guidelines, it seems clear that under Secretary Napolitano, DHS officials are intent on continuing to target innocent citizens merely exercising their constitutional rights.

Meanwhile, groups and individuals that [federal prosecutors](#) and even [federal judges](#) have identified as supporting foreign terrorist groups are actively courted and legitimized by the Obama administration. Leaders from these terror-tied organizations are even being used [to help write](#) the DHS department guidelines on “countering violent extremism.”

Is it any wonder then that just last week it was [revealed](#) that a DHS-funded study likened terrorism to “ordinary crime” while omitting any reference to the radicalizing effects of Islamic extremist ideology?

Until Congress pushes back on this malfeasance by DHS and holds Secretary Napolitano accountable, it is likely to continue.

Homeland Security: You're All 'Militia Extremists' Now

 pjmedia.com/blog/homeland-security-lexicon-youre-all-militia-extremists-now/



By [Patrick Poole](#) February 5, 2012

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<https://pjmedia.com/blog/homeland-security-lexicon-youre-all-militia-extremists-now/>

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